

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TOP PEARL, LTD.,

Plaintiff,

v.

COSA FREIGHT, INC., *et al.*,

Defendants.

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CIVIL ACTION H-10-1249

ORDER

Pending before the court is plaintiff Top Pearl's motion to amend the court's order and final judgment. Dkt. 105. No opposition has been filed because the remaining defendants have defaulted in this action. This court granted default judgment against James Reilly d/b/a Warehouse Management Group, Karla Soria, and Alberto Bonilla in favor of plaintiff on October 9, 2013, and awarded damages based on plaintiff's claims for breach of contract, conversion, negligence, and bailment. Dkt. 103.

Plaintiff moved for an award of attorney's fees, but was ordered by the court to provide additional support for its claim for attorney's fees in order to discharge its burden to show that the fees sought were reasonable and segregate the amount of attorney's fees attributable to each defendant and/or claim. *Id.* Plaintiff submitted its counsel's billing statements on October 17, 2013, reflecting the hourly rate and time expended by its attorney in prosecuting this action against the various defendants. Dkt. 105, Ex. 1. After reviewing plaintiff's counsel's affidavit and billing statements, the court will award plaintiff \$26,408.00 as reasonable attorney's fees for the prosecution of this case. The fees will be assessed against the defaulted defendants as follows:


(1) Top Pearl is awarded \$8,576.00 against defendant, Karla Soria, as the reasonable and necessary attorney's fees incurred in the prosecution of this case;

(2) Top Pearl is awarded \$8,126.00 against defendant, Alberto Bonilla, as the reasonable and necessary attorney's fees incurred in the prosecution of this case; and

(3) Top Pearl is awarded \$9,706.00 against defendant, James Reilly d/b/a Warehouse Management Group, as the reasonable and necessary attorney's fees incurred in the prosecution of this case.

Accordingly, plaintiff's motion amend the court's order and final judgment (Dkt. 105) is GRANTED. Plaintiff is awarded attorney's fees as set forth in this order.

Signed at Houston, Texas on October 24, 2013.



Gray H. Miller
United States District Judge